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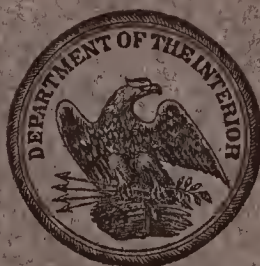
# LAWS AND REGULATIONS

RELATING TO THE

## CRATER LAKE NATIONAL PARK OREGON

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COMPILED IN THE OFFICE OF THE  
SECRETARY OF THE INTERIOR



WASHINGTON  
GOVERNMENT PRINTING OFFICE

1908



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# LAWS AND REGULATIONS RELATING TO CRATER LAKE NATIONAL PARK, OREGON.

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## LAWS.

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### ACT OF MAY 22, 1902 (32 STAT., 202).

AN ACT Reserving from the public lands in the State of Oregon, as a public park for the benefit of the people of the United States, and for the protection and preservation of the game, fish, timber, and all other natural objects therein, a tract of land herein described, and so forth.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the tract of land bounded north by the parallel forty-three degrees four minutes north latitude, south by forty-two degrees forty-eight minutes north latitude, east by the meridian one hundred and twenty-two degrees west longitude, and west by the meridian one hundred and twenty-two degrees sixteen minutes west longitude, having an area of two hundred and forty-nine square miles, in the State of Oregon, and including Crater Lake, is hereby reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and dedicated and set apart forever as a public park or pleasure ground for the benefit of the people of the United States, to be known as "Crater Lake National Park."

SEC. 2. That the reservation established by this act shall be under the control and custody of the Secretary of the Interior, whose duty it shall be to establish rules and regulations and cause adequate measures to be taken for the preservation of the natural objects within said park, and also for the protection of the timber from wanton depredation, the preservation of all kinds of game and fish, the punishment of trespassers, the removal of unlawful occupants and intruders, and the prevention and extinguishment of forest fires.

SEC. 3. That it shall be unlawful for any person to establish any settlement or residence within said reserve, or to engage in any lumbering, or other enterprise or business occupation therein, or to enter therein for any speculative purpose whatever, and any person violating the provisions of this act, or the rules and regulations established thereunder, shall be punished by a fine of not more than five hundred dollars, or by imprisonment for not more than one year, and shall further be liable for all destruction of timber or other property of the United States in consequence of any such unlawful act: *Provided*, That said reservation shall be open, under such regulations as the Secretary of the Interior may prescribe, to all scientists, excursionists, and pleasure seekers and to the location of mining claims and the working of the same: *And provided further*, That restaurant and hotel keepers, upon application to the Secretary of the Interior, may be permitted by him to establish places of entertainment within the Crater Lake National Park for the accommodation of visitors, at places and under regulations fixed by the Secretary of the Interior, and not otherwise.

## RULES AND REGULATIONS.

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### GENERAL REGULATIONS OF JUNE 10, 1908.

By act of Congress approved May 22, 1902, the tract of land bounded north by the parallel forty-three degrees four minutes north latitude, south by forty-two degrees forty-eight minutes north latitude, east by the meridian one hundred and twenty-two degrees west longitude, and west by the meridian one hundred and twenty-two degrees sixteen minutes west longitude, having an area of 249 square miles, in the State of Oregon, and including Crater Lake, has been reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and dedicated and set apart forever as a public park or pleasure ground for the benefit of the people of the United States, to be known as "CRATER LAKE NATIONAL PARK."

The park by said act is placed under the exclusive control of the Secretary of the Interior, and these rules and regulations are made and published in pursuance of the duty imposed on him in regard thereto.

1. It is forbidden to injure, or destroy in any manner, any of the natural curiosities or wonders within the park, or to disturb the mineral deposits in the reservation, except under the conditions prescribed in paragraph 11 of these regulations.

2. It is forbidden to cut or injure any timber growing on the park lands, except for use in the construction of places of entertainment and in connection with the working of located mining claims, or to deface or injure any government property. Camping parties and others on the reservation will be allowed to use dead or fallen timber for fuel in the discretion of the superintendent.

3. Fires should be lighted only when necessary and completely extinguished when not longer required. The utmost care must be exercised at all times to avoid setting fire to the timber and grass.

4. Hunting or killing, wounding or capturing any bird or wild animal on the park lands, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under other circumstances than prescribed above, will be taken up by the superintendent and held subject to the order of the Secretary of the Interior, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the superintendent thereof.



5. Fishing with nets, seines, traps, or by the use of drugs or explosives, or in any other way than with hook and line, is prohibited. Fishing for purposes of merchandise or profit is forbidden. Fishing may be prohibited by order of the superintendent in any of the waters of the park, or limited therein to any specified season of the year, until otherwise ordered by the Secretary of the Interior.

6. No person will be permitted to reside permanently, engage in any business, or erect buildings, etc., upon the government lands in the park without permission, in writing, from the Secretary of the Interior. The superintendent may grant authority to competent persons to act as guides and revoke the same in his discretion. No pack trains will be allowed in the park unless in charge of a duly registered guide.

7. Owners of patented lands within the park limits are entitled to the full use and enjoyment thereof; such lands, however, shall have the metes and bounds thereof so marked and defined that they may be readily distinguished from the park lands. Stock may be taken over the park lands to patented lands with the written permission and under the supervision of the superintendent.

8. The herding or grazing of loose stock or cattle of any kind on the government lands in the park, as well as the driving of such stock or cattle over the same, is strictly forbidden, except in such cases where authority therefor is granted by the superintendent.

9. No drinking saloon or barroom will be permitted upon government lands in the park.

10. Private notices or advertisements shall not be posted or displayed on the government lands within the reservation, except such as may be necessary for the convenience and guidance of the public.

11. The act provides that, under such regulations as the Secretary of the Interior may prescribe, the reservation shall be open "to the location of mining claims and the working of the same." It was not the purpose of this provision to extend the mining laws to the park without limitation, but only to authorize the location and working of mining claims thereon, under regulations to be prescribed by the Secretary of the Interior, and in such manner as not to interfere with or prejudicially affect the general purpose for which the reservation was established. It is therefore prescribed:

(a) That persons desiring to locate mining claims within the park shall enroll their names and addresses with the superintendent of the reservation, and shall file with such superintendent a description, in writing, of the land desired to be located. They shall also file with the superintendent evidence that they are severally qualified to make locations under the mining laws, and before entering upon the park for such purpose they must obtain from the Secretary of the Interior, through the superintendent, a written permit to do so. Such permit will be issued only upon condition that the applicant or applicants therefor, while upon the reservation, will not destroy or damage any game, fish, timber, or natural objects therein, and will strictly observe and comply with the requirements of the law and these regulations.

(b) Lands in the park upon which valuable deposits of mineral shall have been or may be found may be located under the mining

laws by any person or persons duly qualified and holding a permit such as is described in the preceding paragraph, and such person or persons, his or their successor or successors in interest, may work the claim or claims so located; but in carrying on the work he or they shall in all respects observe and comply with the provisions of the statute creating the park and with these regulations: *Provided*, That such person or persons may, as the proper working of such mining claim or claims shall require, be permitted to use, for mining purposes, such timber or stone found upon the land located as in the judgment of the superintendent may be so used without injury or damage to the reservation "as a public park or pleasure ground:" *And provided further*, That within thirty days after the location of any mining claim within the park, and before development work thereon shall be commenced, a copy of the notice of location shall be filed with the superintendent, together with proof satisfactorily showing that discovery of a valuable mineral deposit has been made within the limits of the location, and, if it be a placer location, that every 10-acre tract embraced therein has been found to contain valuable deposits of mineral.

(c) The statute does not authorize the purchase of or the acquisition of the legal title to lands located as mining claims within the park. The rights of the locator or locators, therefore, will be at all times subject to forfeiture upon breach of any of the conditions mentioned in the permit herein provided for, or upon refusal or failure to comply with any of the provisions of the statute or of these regulations.

(d) Upon breach of any such conditions, or upon refusal or failure to comply in all respects with the provisions of the statute and of these regulations, or where locators of mining claims do not appear to be acting in good faith, or who after location do not work their claims in such manner as to show good faith in the assertion thereof, the superintendent will revoke their permits, forthwith remove them from the park, and report the facts to the Secretary of the Interior.

12. Persons who render themselves obnoxious by disorderly conduct or bad behavior, or who violate any of the foregoing rules, will be summarily removed from the park and will not be allowed to return without permission, in writing, from the Secretary of the Interior or the superintendent of the park.

No lessee or licensee shall retain in his employ any person whose presence in the park shall be deemed and declared by the superintendent to be subversive of the good order and management of the reservation.

13. Any person who violates any of the foregoing regulations will be deemed guilty of a misdemeanor, and upon conviction, be fined not more than \$500, or imprisoned not more than one year, and shall be liable for any loss sustained by the United States as a result of such violation, as provided by the act creating the park.

14. The superintendent designated by the Secretary is hereby authorized and directed to remove all trespassers from the government lands in the park and enforce these rules and regulations and all the provisions of the act of Congress aforesaid.

## REGULATIONS OF JUNE 10, 1908, GOVERNING THE IMPOUNDING AND DISPOSITION OF LOOSE LIVE STOCK.

Horses, cattle, or other domestic live stock running at large or being herded or grazed in the Crater Lake National Park without authority from the Secretary of the Interior, will be taken up and impounded by the superintendent, who will at once give notice thereof to the owner, if known. If the owner is not known, notice of such impounding, giving a description of the animal or animals, with the brands thereon, will be posted in six public places inside the park and in two public places outside the park. Any owner of an animal thus impounded may, at any time before the sale thereof, reclaim the same upon proving ownership and paying the cost of notice and all expenses incident to the taking up and detention of such animal, including the cost of feeding and caring for the same. If any animal thus impounded shall not be reclaimed within thirty days from notice to the owner or from the date of posting notices, it shall be sold at public auction at such time and place as may be fixed by the superintendent after ten days' notice, to be given by posting notices in six public places in the park and two public places outside the park, and by mailing to the owner, if known, a copy thereof.

All money received from the sale of such animals and remaining after the payment of all expenses incident to the taking up, impounding, and selling thereof shall be carefully retained by the superintendent in a separate fund for a period of six months, during which time the net proceeds from the sale of any animal may be claimed by and paid to the owner upon the presentation of satisfactory proof of ownership, and if not so claimed within six months from the date of sale such proceeds shall be turned into the Crater Lake National Park fund.

The superintendent shall keep a record in which shall be set down a description of all animals impounded, giving the brands found on them, the date and locality of the taking up, the date of all notices and manner in which they were given, the date of sale, the name and address of the purchaser, the amount for which each animal was sold and the cost incurred in connection therewith, and the disposition of the proceeds.

The superintendent will, in each instance, make every reasonable effort to ascertain the owner of animals impounded and to give actual notice thereof to such owner.



APPLICATION FOR PERMISSION TO DRIVE STOCK THROUGH THE CRATER  
LAKE NATIONAL PARK, OREGON.

-----, 19--

The SUPERINTENDENT OF THE CRATER LAKE NATIONAL PARK.

SIR:

I, -----, a citizen of the United States and  
a resident of -----, county of -----, State  
of -----, hereby make application for permission to drive  
----- head of loose stock or cattle over the main traveled wagon road  
leading through the Crater Lake National Park, Oregon, en route from  
----- to -----; I hereby agree that I will cross  
the park boundary with my stock on the ----- day of -----,  
19--, and will not occupy more than ----- days in crossing the reserva-  
tion; that I will cause the stock to be moved expeditiously over the road  
through the park, and will not allow the same to scatter, stop, graze, or pasture  
upon any of the places used or occupied by the public.

I further agree to observe and obey all the rules and regulations for the  
government of the Crater Lake National Park.

-----  
Approved and permit granted

-----, 19--

-----  
*Superintendent.*

## GENERAL LEGISLATION.

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### SECTION 5391, REVISED STATUTES OF THE UNITED STATES.

#### Prosecutions under State Laws where no Federal Laws Are Applicable.

If any offense be committed in any place which has been or may hereafter be, ceded to and under the jurisdiction of the United States, which offense is not prohibited, or the punishment thereof is not specially provided for, by any law of the United States, such offense shall be liable to, and receive, the same punishment as the laws of the State in which such place is situated, now in force, provide for the like offense when committed within the jurisdiction of such State; and no subsequent repeal of any such State law shall affect any prosecution for such offense in any court of the United States.

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#### ACT OF JULY 7, 1898 (30 STAT., 717).

AN ACT To protect the harbor defenses and fortifications constructed or used by the United States from malicious injury, and for other purposes.

\* \* \* \* \*

SEC. 2. That when any offense is committed in any place, jurisdiction over which has been retained by the United States or ceded to it by a State, or which has been purchased with the consent of a State for the erection of a fort, magazine, arsenal, dockyard, or other needful building or structure, the punishment for which offense is not provided for by any law of the United States, the person committing such offense shall, upon conviction in a circuit or district court of the United States for the district in which the offense was committed, be liable to and receive the same punishment as the laws of the State in which such place is situated now provide for the like offense when committed within the jurisdiction of such State, and the said courts are hereby vested with jurisdiction for such purpose; and no subsequent repeal of any such State law shall affect any such prosecution.

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#### ACT OF MARCH 3, 1875 (18 STAT., 481).

#### Cutting Timber on Reserved Lands, Destroying Fences, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That if any person or persons shall knowingly and unlawfully cut, or shall knowingly aid, assist, or be employed in unlawfully cutting, or shall wantonly destroy or injure, or procure to be wantonly destroyed or injured, any timber-tree or any shade or ornamental tree, or any other kind of tree, standing, growing, or being upon any lands of the United States,

which, in pursuance of law, have been reserved, or which have been purchased by the United States for any public use, every such person or persons so offending, on conviction thereof before any circuit or district court of the United States, shall, for every such offense, pay a fine not exceeding \$500, or shall be imprisoned not exceeding twelve months.

SEC. 2. That if any person or persons shall knowingly and unlawfully break or destroy any fence, wall, hedge, or gate inclosing any lands of the United States, which have, in pursuance of any law, been reserved or purchased by the United States for any public use, every such person so offending, on conviction, shall, for every such offense, pay a fine not exceeding \$200, or be imprisoned not exceeding six months.

SEC. 3. That if any person or persons shall knowingly and unlawfully break, open, or destroy any gate, fence, hedge, or wall inclosing any lands of the United States, reserved or purchased as aforesaid, and shall drive any cattle, horses, or hogs upon the lands aforesaid, for the purpose of destroying the grass or trees on the said grounds, or where they may destroy the said grass or trees, or if any such person or persons shall knowingly permit his or their cattle, horses, or hogs to enter through any of said inclosures upon the lands of the United States aforesaid, where the said cattle, horses, or hogs may or can destroy the grass or trees or other property of the United States on the said land, every such person or persons so offending, on conviction, shall pay a fine not exceeding \$500, or be imprisoned not exceeding twelve months.

*Provided*, That nothing in this act shall be construed to apply to unsurveyed public lands and to public lands subject to preemption and homestead laws, or to public lands subject to an act to promote the development of the mining resources of the United States, approved May 10, 1872.

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ACT OF JUNE 3, 1878 (20 STAT., 89), AS AMENDED BY SEC. 2, OF THE ACT OF AUGUST 4, 1892 (27 STAT., 348).

#### Cutting Timber on Lands of the United States.

\* \* \* \* \*

SEC. 4. After the passage of this act it shall be unlawful to cut, or cause or procure to be cut, or wantonly destroy, any timber growing on any lands of the United States in public-land States, or remove, or cause to be removed, any timber from said public lands with intent to export or dispose of the same; and no owner, master, or consignee of any vessel, or owner, director, or agent of any railroad, shall knowingly transport the same, or any lumber manufactured therefrom; and any person violating the provisions of this section shall be guilty of a misdemeanor, and, on conviction, shall be fined for every such offense a sum not less than one hundred nor more than one thousand dollars.



**ACT OF JUNE 10, 1896 (29 STAT., 343).****Changing or Removing Survey Marks.**

AN ACT Making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1897, and for other purposes.

Hereafter it shall be unlawful for any person to destroy, deface, change, or remove to another place any section corner, quarter-section corner, or meander post on any Government line of survey, or to cut down any witness tree or any tree blazed to mark the line of a Government survey, or to deface, change, or remove any monument or bench mark of any Government survey. That any person who shall offend against any of the provisions of this paragraph shall be deemed guilty of a misdemeanor, and upon conviction thereof in any court shall be fined not exceeding two hundred and fifty dollars, or be imprisoned not more than one hundred days. All the fines accruing under this paragraph shall be paid into the Treasury, and the informer, in each case of conviction, shall be paid the sum of twenty-five dollars.

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**ACT OF FEBRUARY 6, 1905 (33 STAT., 700).****Arrests by National Park and Forest Employees.**

AN ACT For the protection of the public forest reserves and national parks of the United States.

All persons employed in the forest-reserve and national-park service of the United States shall have authority to make arrests for the violation of the laws and regulations relating to the forest reserves and national parks, and any person so arrested shall be taken before the nearest United States commissioner, within whose jurisdiction the reservation or national park is located, for trial; and upon sworn information by any competent person any United States commissioner in the proper jurisdiction shall issue process for the arrest of any person charged with the violation of said laws and regulations; but nothing herein contained shall be construed as preventing the arrest by any officer of the United States, without process, of any person taken in the act of violating said laws and regulations.













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